

EXHIBIT 7

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June 3, 2025

VIA ELECTRONIC MAIL

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Re: COEYMANS MARINE TOWING, LLC D/B/A CARVER MARINE TOWING
as Owner and Operator of M/T Mackenzie Rose (IMO No. 8968765), etc.
United States District Court, Eastern District of Virginia, Case No. 2:24-cv-00490

Dear Mr. Roman:

I write to follow up the April 25, 2025 Court Order on the Belt Line's Motion to Compel *See* ECF 50. Since the Order, Carver has produced Third Supplemental Responses to the Belt Line's First Requests for Production, Fourth Supplemental Responses to the Belt Line's Second Requests for Production, and First Supplemental Answers to the Belt Line's First Interrogatories. After review, the responses appear incomplete.

The Court's Order

The Court ordered as follows:

4) Carver's objections to the Belt Line's First set of Requests for Production Numbers 4, 16, 17, 20, 21, 22, 33, and 34 are overruled.

Michael Roman, Esq.
June 3, 2025
Page 2

5) Carver's objections to the Belt Line's Second set of Requests for Production Numbers 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, and 14 are overruled.

6) Carver's objections to the Belt Line's First Set of Interrogatories Numbers 4, 7, 17, 18, 19, 20, and 21 are overruled.

7) Carver's objection to Interrogatory Number 11 of the Belt Line's First Set of Interrogatories is sustained to the extent that Carver objects to the disclosure of privileged communications between Carver's counsel and Carver.

Carver must produce the documents and responses as outlined above by Friday, May 9, 2025.

The parties agreed to an extension to produce the documents by May 23, 2025, which the Court accepted. ECF 56.

Carver's Preservation of All Objections

As a threshold issue, Carver's supplemental responses and answers all contain language preserving Carver's "objections served on March 7, 2025." The Court has overruled all Carver's objections (except for privileged communications in Interrogatory No. 11). Please confirm you are not attempting to reassert these objections.

Carver's Responses to the 1st RFPs

Pursuant to the Order, Carver's objections to the 1st RFP's Nos. 4, 16, 17, 20, 21, 22, 33, and 34 were overruled and Carver was directed to provide full responses to the same. Carver has failed to do so as depicted in the chart below.

Request No.	Information Sought	Missing Information
17	Reports of displacement, drafts, trim, or list of M/T MACKENZIE ROSE for June 10 – 20, 2024.	No supplemental response was provided after the Order.
20	M/T MACKENZIE ROSE radar logs for June 10 – 20, 2024.	No supplemental response was provided after the Order.
22	M/T MACKENZIE ROSE telex and fax logs for June 10 – 20, 2024.	No supplemental response was provided after the Order.
33	Surveys, appraisals, and valuations of the M/T MACKENZIE ROSE for January 1, 2019 through December 31, 2024.	No supplemental response was provided after the Order.

In sum, Carver has not produced documents in response to RFP Nos. 17, 20, 22, or 33 as required by the Order, nor do its supplemental responses say that any effort was made to locate such documents.

Michael Roman, Esq.
June 3, 2025
Page 2

Carver's Responses to the 2nd RFPs

Pursuant to the Order, Carver's objections to the 1st RFP's Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, and 14 were overruled and Carver was directed to provide full responses to the same. Carver has failed to do so as depicted in the chart below.

Request No.	Information Sought	Missing Information
3	Documents relating to James Morrissey's training from Carver from January 1, 2020 to present.	Only produced documents dating back to 2023. No documents from 2020-2023.
4	Documents relating to the disciplinary history of James Morrissey.	No supplemental response was provided after the Order.
5	Documents including "near miss" reports relating to the steering, navigation, and autopilot system on the M/T MACKENZIE ROSE from January 1, 2020 to present.	Only produced documents dating back to 2022. No documents from 2020-2022.
6	Documents relating to prior accidents of the M/T MACKENZIE ROSE within the past 10 years.	Only produced documents dating back to 2020. No documents from 2015-2020.
7	Documents relating to prior accidents involving James Morrissey within the past 10 years.	Only produced documents dating back to 2020. No documents from 2015-2020.
8	Documents relating to or evidencing the repairs and/or work done on the Vessel for the period of June 12, 2024 through June 14, 2024.	No responsive documents produced after the Order.
10	Documents evidencing malfunctions of the steering, navigation, and autopilot system on the M/T MACKENZIE ROSE within the past 10 years.	Documents produced are not responsive and only date back to 2020. No documents from the last ten years.
11	Documents evidencing training relating to the steering, navigation, and autopilot system on the M/T MACKENZIE ROSE from January 1, 2020 to present.	No supplemental response was provided after the Order.
14	Documents evidencing company protocols for reporting allisions from January 1, 2020 to present.	No supplemental response was provided after the Order.

In sum, Carver has not produced documents in response to 2nd RFP Nos. 3, 5, 6, 7, 8, and 10 as required by the Order, nor do its supplemental responses say that any effort was made to locate such documents.

Michael Roman, Esq.
June 3, 2025
Page 2

Documents Identified in Depositions

On May 5, 2025, the Belt Line sent a letter regarding specific documents identified in the depositions of Carver's current and former employees that are responsive to the Belt Line's discovery requests but were not produced.

Of the documents listed in the May 5, 2025 letter, only a portion were produced with the supplemental discovery. The following documents were not produced.


Relevant RFP	Document description	Deponent	Missing Information
1 st RFP No. 14	Electronic versions of photographs of the bridge and barge taken from the M/T MACKENZIE ROSE on June 15, 2024, including all metadata	All	Not produced (exhibits 1, 2 are incomplete thumbnail images).
2 nd RFP No. 11-14	Employee Safety Handbook ("ESH"); including every version of the ESH, whether paper or ESI, and any record or log of changes made to it	Sharif Porter	Not produced.
1 st RFP No. 2	Personnel files of the M/T MACKENZIE ROSE crew members, including both paper and ESI formats	Brian Moore and Leonard Baldassare – deposition exhibits 8, 10, 12, 14, 16	Incomplete personnel files.
2 nd RFP No. 4	Documents pertaining to James Morrissey's suspension, being placed on administrative leave, discipline, or termination by Carver	Brian Moore	Not produced.
1 st RFP No. 30 & 34	Communications to/from Mr. Baldassare's work cell phone on June 15-20, 2024, including texts, emails, photographs, videos and phone call logs	Leonard Baldassare	Not produced.
1 st RFP No. 30 & 34	Communications to/from Mr. Moore's work cell phone on June 15-20, 2024, including texts, emails, photographs, videos and phone call logs	Brian Moore and Leonard Baldassare	Not produced.
1 st RFP No. 30 & 34	Communications between Mr. Moore and Mr. Baldassare relating to CG-2692 form, including drafts, texts, emails, photographs, videos and phone call logs	Brian Moore and Leonard Baldassare	Not produced.
1 st RFP No. 30 & 34	Communications to/from the phone onboard the M/T MACKENZIE ROSE on June 15, 2024, including texts, emails, photographs, videos and phone call logs	All	Not produced.
2 nd RFP No. 2	Communications with Tug and Barge Solutions related to Carver's purchase of the SMS and Helm Connect, including any record or log of changes made to them	Brian Moore and Leonard Baldassare	Not produced.

Michael Roman, Esq.
June 3, 2025
Page 2

1 st RFP No. 30	Communications to or with the United States Coast Guard relating to the June 15, 2024 allision	Brian Moore and Leonard Baldassare	Incomplete. Missing correspondence from before Clyde&Co's involvement.
2 nd RFP No. 9	Certificate of Inspection of the M/T MACKENZIE ROSE from January 2025	Leonard Baldassare	Not produced.
2 nd RFP No. 3	Annual Review Form from ride-along with James Morrissey	Leonard Baldassare	Not produced.
1 st RFP No. 16 & 26	January 1 – September 30, 2024 Deck Log from M/T MACKENZIE ROSE, whether paper or ESI, including any record or log of changes made to ESI versions	All – exhibits 6, 7, 23	Incomplete.
1 st RFP No. 16 & 26	January 1 – September 30, 2024 Engine Log from M/T MACKENZIE ROSE, whether paper or ESI, including any record or log of changes made to ESI versions	All – exhibits 20, 22	Incomplete.
1 st RFP No. 1 & 26	Legible copy of crew hours worked reports	Brian Moore and Leonard Baldassare – exhibit 18	Not legible.
1 st RFP No. 26	9.4 Risk Assessment Form for June 15, 2024	Leonard Baldassare	Not produced.

The above-noted responses and answers have not been supplemented in compliance with the Court's Order. Please supplement all your responses as indicated by **June 9, 2025**.

Very truly yours,


Mackenzie R. Pensyl

MRP/mda

cc: W. Ryan Snow, Esq.
James L. Chapman, IV, Esq.
Zachary M. Jett, Esq.
Mark C. Nanavati, Esq.